

**RESOLUTION NO. 09-48**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO PILOT TESTING AGREEMENTS WITH AMERICAN WATER-ACCIONA AGUA LLC, INIMA USA CONSTRUCTION CORPORATION AND VEOLIA WATER NORTH AMERICA-SOUTH, LLC FOR THE PURPOSE OF ALLOWING EACH OF THE PRE-QUALIFIED RESPONDERS SELECTED PURSUANT TO THE REQUEST FOR QUALIFICATIONS FOR A DESIGN/BUILD/OPERATOR OF THE HIALEAH REVERSE OSMOSIS WATER TREATMENT PLANT TO EVALUATE AND DEMONSTRATE THE WATER TREATMENT EQUIPMENT, TEST THE QUALITY AND QUANTITY OF WATER DRAWN FROM THE UPPER FLORIDAN AQUIFER ONSITE AND PREPARE A PILOT TESTING STUDY; AND FURTHER AUTHORIZING THE EXPENDITURE OF A \$100,000 STIPEND TO BE PAID UPON EXECUTION OF THE SERVICE CONTRACT TO EACH OF THE TWO COMPANIES THAT WERE NOT SELECTED FOR THEIR PERFORMANCE OF PILOT TESTING ACTIVITIES, OF WHICH MIAMI-DADE COUNTY, AS AN EQUAL PARTNER, SHALL UNDERWRITE ITS 50% SHARE OF THE EXPENSE.

**WHEREAS**, on September 9, 2009, the City of Hialeah selected three companies, American Water-Acciona Agua LLC, Inima USA Construction Corporation and Veolia Water North America-South, LLC, as responders, in the first phase of a two-phased procurement process for the selection of a design/build/operator for the Hialeah Reverse Osmosis Water Treatment Plant; and

**WHEREAS**, as part of an expensive process for the responders to conduct a brackish groundwater desalination membrane pilot testing study, the City finds that it is in its best interest to enter into a pilot testing agreement with each of the three responders to allow the companies several months to draw source water from the Upper Floridan Aquifer through a testing well constructed by the City of Hialeah to test and evaluate the water source and the water treatment equipment and configuration.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

**Section 2:** The City of Hialeah, Florida hereby authorize the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into pilot testing agreements with American Water-Acciona Agua LLC, Inima USA Construction Corporation and Veolia Water North America-South, LLC for the purpose of allowing each of the pre-qualified responders selected pursuant to a Request for Qualifications for a design/build/operator of the Hialeah Reverse Osmosis Water Treatment Plant to evaluate and demonstrated the water treatment equipment, test the quantity and quality of water drawn from the Upper Floridan Aquifer onsite and prepare a pilot testing study.

**Section 3:** The City of Hialeah, Florida hereby authorizes the expenditure of a \$100,000 stipend to be paid upon execution of the Service Contract to each of the two companies that were not selected for their performance of pilot testing activities, of which Miami-Dade County, as an equal partner, shall underwrite its 50% share of the expense.

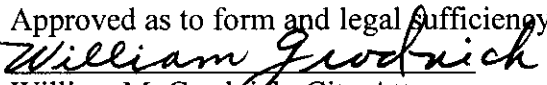
PASSED AND ADOPTED this 28th day of April, 2009.

  
Carlos Hernandez  
Council President

Attest:   
Rafael E. Granado, City Clerk

Approved on this 30 day of April, 2009.

  
Mayor Julio Robaina

Approved as to form and legal sufficiency:  
  
William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".